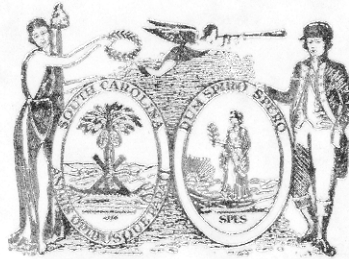


State of South Carolina
Executive Department

FILED

MAR 25 2004

Mark Hammond⁸
SECRETARY OF STATE



Office of the Governor

EXECUTIVE ORDER NO.

2004-09

WHEREAS, on March 1, 2004, by Opinion 25787, the South Carolina Supreme Court concluded that the result of the 2002 election for Mayor of Johnsonville, South Carolina, was doubtful because three votes were cast illegally and the margin of victory was only three votes; and

WHEREAS, on March 5, 2004, the Registration and Elections Commission for Florence County ("Commission") requested that a new election for Mayor of Johnsonville be held as a result of the Supreme Court's decision; and

WHEREAS, the Commission has requested that the new election be held on June 29, 2004, in order to comply with the notice provisions in the South Carolina Code of Laws and the pre-clearance requirements of Section 5 of the Voting Rights Act of 1965; and

WHEREAS, Section 7-13-1170 of the South Carolina Code of Laws (1976), as amended, provides "when any election official of any political subdivision of this State charged with ordering, providing for, or holding an election has neglected, failed, or refused to order, provide for, or hold the election at the time appointed, or if for any reason the election is declared void by competent authority, and these facts are made to appear to the satisfaction of the Governor, he shall, should the law not otherwise provide for this contingency, order an election or a new election to be held at the time and place, and upon the notice being given which to him appears adequate to insure the will of the electorate being fairly expressed. To that end, he may designate the existing election official or other person as he may appoint to perform the necessary official duties pertaining to the election and to declare the result."

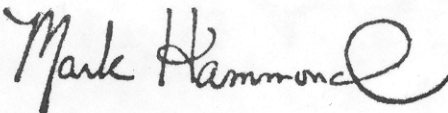
NOW, THEREFORE, pursuant to the authority vested in me by the Constitution and Statutes of the State of South Carolina, I hereby (a) order that a new election be held for Mayor of the City of Johnsonville on June 29, 2004, or at the earliest possible date and time after June 29, 2004, as is permitted by the United States Department of Justice; and (b) designate the Registration and Elections Commission for Florence County to perform the necessary official duties pertaining to the election and to declare the result.



GIVEN UNDER MY HAND AND
THE GREAT SEAL OF THE
STATE OF SOUTH CAROLINA,
THIS 25th DAY OF MARCH,
2004.



MARK SANFORD
Governor

ATTEST: 

MARK HAMMOND
SECRETARY OF STATE